

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LINDA ROBINSON,

Plaintiff,

v.

WAL-MART STORES EAST, LP and
JOHN DOE,

Defendants.

Case No. 23-11158

Honorable Laurie J. Michelson

ORDER REMANDING CASE TO JACKSON COUNTY CIRCUIT COURT

Linda Robinson sued Wal-Mart Stores East, LP, and “John Doe,” a Wal-Mart employee, in Michigan state court. (ECF No. 1-2, PageID.11–12.) She alleges that John Doe negligently struck her with a row of grocery carts inside a Wal-Mart store in Jackson, Michigan. (*Id.*) Robinson says that she is a resident of Michigan, and that upon information and belief, John Doe also resides and works in Jackson, Michigan (*Id.* at PageID.10.)

Wal-Mart filed a notice of removal in this Court based on diversity of citizenship. (ECF No. 1, PageID.4.) Wal-Mart says that complete diversity of citizenship exists because it is a citizen of Delaware or Arkansas, and “John Doe” is a fictitious defendant whose citizenship should not be considered in determining whether this action was removable based on diversity jurisdiction. (*Id.*)

On September 5, 2023, this Court directed Wal-Mart to show cause that this Court has subject-matter jurisdiction by identifying the name and

citizenship of “John Doe.” (*See* ECF No. 13.) In its response to the show-cause order, Wal-Mart states that “at this juncture it does not know the identity of the employee who allegedly caused the incident.” (ECF No. 14, PageID.69.) Wal-Mart also states that it is “not contesting the remand of this matter to state court.” (*Id.*)

Accordingly, pursuant to Wal-Mart’s response to the show-cause order, IT IS ORDERED this case is hereby remanded to Jackson County Circuit Court, without the imposition of costs or expenses to either party pursuant to 28 U.S.C. § 1447(c).

SO ORDERED.

Dated: September 12, 2023

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE